

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:	:	
	:	
MARYANN BUTLER,	:	
	:	Case No. 1:25-cv-00690
Plaintiff,	:	
	:	
v.	:	
	:	
NEW AMERICAN FUNDING,	:	
	:	
Defendant.	:	

**MOTION TO EXTEND DEADLINE**

Defendant, New American Funding (“NAF”), by and through its undersigned counsel, hereby submits this motion to extend the deadline to file its response to complaint, pursuant to Fed. R.C.P. 6(b)(1)(A), based upon the following:

1. Plaintiff Maryann Butler (“Butler”) filed her Complaint (ECF No. 1) with this Court on April 21, 2025.

2. On June 6, 2025, NAF was served a copy of the Complaint and Summons. [ECF No. 11.]

3. On June 23, 2025, Mr. Audury P. Davis filed a Motion to Amend Complaint and Substitute Plaintiff. [ECF No. 19.]

4. In his Motion, Mr. Davis requests, among other things, that this Court enter an order permitting him to: 1) remove his mother and named plaintiff, Maryann

Butler, from the action and the caption and to have him substituted as plaintiff and the “true party in interest”; and 2) amend the Complaint on his own behalf pursuant to Federal Rules of Civil Procedure 15(a)(2) and 17(a)(3). *Id.*

5. According to Fed. R.C.P. 12(a)(1)(A)(i), a defendant must file a responsive pleading to a complaint “within 21 days after being served with the summons and complaint.”

6. NAF’s response to the Complaint is currently due June 27, 2025.

7. However, should Mr. Davis’s current motion be granted, NAF will have at least fourteen (14) days to respond to the amended complaint. Fed. R.C.P. 12(a)(3).

8. Since NAF’s time to respond will depend on whether this Court will grant Mr. Davis’s current motion, NAF believes that the deadline for NAF to respond to either the Complaint or Amended Complaint should be extended, for an appropriate number of days to be determined by the Court and pursuant to the Local Rules and Federal Rules of Civil Procedure, beyond the time that the Court decides the Motion to Amend Complaint and Substitute Plaintiff.

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WHEREFORE, New American Funding, respectfully requests that this Court enter the attached Order for the reasons stated above.

Respectfully submitted,

**COHEN, SEGLIAS, PALLAS,  
GREENHALL & FURMAN, PC**

/s/James McNally

James McNally, Esquire

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NEW AMERICAN FUNDING,	:	
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**CERTIFICATE OF SERVICE**

I hereby certify that on June 26, 2025, a copy of the foregoing **MOTION  
TO EXTEND DEADLINE**, was served upon the following via first class mail and  
via email:

Maryann Butler  
1823 State Street  
Harrisburg, Dauphin, PA 17103  
Mfmallah87@icloud.com

-and –

Audury P. Davis  
2041 Greenwood St.  
Harrisburg, PA 17103  
Mfmallah87@icloud.com

**COHEN, SEGLIAS, PALLAS,  
GREENHALL & FURMAN, PC**

/s/James McNally

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